

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA,**

**Plaintiffs,**

**vs.**

**VICTOR TAMAYO, and BONFILIO  
AVILES,**

**Defendants.**

**8:09CR66**

**ORDER**

This matter is before the Court upon the United States' Motion to Vacate the Preliminary Order of Forfeiture, ECF No. 89, and Dismiss Count V of the Superseding Indictment, ECF No. 30, and Count III of the Information, ECF No. 76. ECF No. 141. The Court has reviewed the record in this case and, being duly advised in the premises, finds the United States' Motion should be granted.

**IT IS ORDERED:**

1. The United States' Motion to Vacate Preliminary Order of Forfeiture and to Dismiss Count V of the Superseding Indictment and Count III in the Information, ECF No. 141, is granted;
2. The Preliminary Order of Forfeiture, ECF No. 89, is vacated; and
3. Count V of the Superseding Indictment, ECF No. 30, and Count III of the Information, ECF No. 76, are dismissed.

Dated this 1st day of June, 2017.

**BY THE COURT:**

s/Laurie Smith Camp  
Chief United States District Judge